

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROMEL MURPHY,

Defendant.

No. 20-CR-6-CJW-MAR

**ORDER TO SHOW CAUSE**

This matter is before the Court because defense counsel, Jeffrey Steinback, has failed to submit documentation to the Court as ordered at the October 20, 2021, show cause hearing for why the Court should not hold counsel in contempt.

This case was set for sentencing on October 6, 2021. The day before, defense counsel contacted the Court by phone to inform the Court defense counsel had a possible exposure to COVID-19 on October 4, 2021, and inquired as to how the Court would like to proceed. The Court replied by email to both counsel that the hearing would not be continued. Then after 5:00 p.m. on October 5, 2021, defendant filed a motion to continue the sentencing hearing. (Doc. 55). The motion did not comply with Local Rule 7(k) because defense counsel did not consult with government counsel about the motion. On the morning of October 6, 2021, the Court denied the motion to continue. (Doc. 56). Defendant and defense counsel failed to appear at the scheduled sentencing hearing.

On October 6, 2021, the Court convened for the sentencing hearing and made a record of the many times defense counsel had sought continuances of hearings in this case, often based on his personal issues. The latest, last-minute attempt to continue the sentencing hearing came on the heels of many other last-minute motions to continue and to extend deadlines, as well as at least one instance of completely missing a deadline.

Defense counsel did not have permission from the Court to not appear at the sentencing hearing as ordered. Thus, the Court ordered defense counsel, Jeffrey Steinback, to appear at a hearing to show cause why he should not be held in contempt of the Court's order scheduling the sentencing hearing.

As part of the show cause hearing, the Court ordered defense counsel to produce ex parte for in camera inspection before the hearing the following documents:

1) all correspondence with defendant about defense counsel's attempt to continue and defendant's need to appear at the sentencing hearing set for October 6, 2021;

2) defense counsel's billing records for all clients for the dates of October 6, 2021, through October 11, 2021;

3) defense counsel's calendar entries for the dates of October 6, 2021, through October 11, 2021;

4) all medical records pertaining to defense counsel's "back spasms" that required a last-minute continuance of the sentencing hearing scheduled for September 24, 2021;

5) all medical records pertaining to defense counsel's evaluation and testing for COVID-19 in relation to the October 6, 2021, sentencing hearing.

Defense counsel produced some, but not all, of the records prior to the show cause hearing. Some of the documents produced were not in original form, but had been created for purposes of the hearing. Defense counsel produced no records supporting his September 24, 2021, motion to continue. At the hearing, defense counsel asked for more time to produce records and the Court granted his request for a 30-day extension of time to produce the records to the Court. (Doc. 62). More than 30 days has passed and defense counsel has produced no records, nor has he asked for a further extension of time.

Thus, once again the Court orders defense counsel, Jeffrey Steinback, to produce the documents the Court ordered him to produce 30 days ago, and to produce them in

person to the Court on **Wednesday, December 8, 2021, at 1:00 p.m.**; United States Courthouse, Courtroom 3, 111 Seventh Avenue SE, Cedar Rapids, Iowa. The Court will then proceed with the show cause hearing and determine whether it should hold Mr. Steinback in contempt. The Court will not consider any motions to continue or motions for extension of time in this matter. Defendant's presence is not required as the show cause hearing pertains to defense counsel, not defendant. Counsel for the government is requested to appear at the hearing in case it is necessary to provide the Court with additional information about communication with defense counsel.

**IT IS SO ORDERED** this 24th day of November, 2021.



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C.J. Williams  
United States District Judge  
Northern District of Iowa